



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

April 5, 2005

Darrel Thompson
2510 Roza Dr
Zillah WA 98953-9379

Re: Emergency Drought Permit No. G4-34969

In accordance with the provisions of RCW 43.83B.405, on March 10, 2005, it was ordered and determined by the Director of the Department of Ecology that the State of Washington is under drought conditions. In accordance with the provisions of WAC 173-166-060, the Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT PERMIT. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A FINAL (REGULAR) PERMIT WILL ISSUE FOR THE FUTURE USE OF THE WATER USE HEREIN AUTHORIZED.

The Department of Ecology has agreed to fund the cost of the mitigation or offsets for the impacts associated with the drought emergency authorizations. Ecology is attempting to meet the essential irrigation needs of farmers growing perennial crops (such as orchard crops, grapes, hops, etc.) where the loss of irrigation water would permanently damage the crops. Through the use of emergency supplemental wells, Ecology is authorizing up to 80% of the usual irrigation water supply delivered by the irrigation districts. The annual quantity authorized is based on 80% of the District contracted delivery. In a normal year, Roza Irrigation District (the District) is prepared to deliver 3 to 3.3 acre-feet of water per acre. 80% of 3.3 acre-feet is 2.6 acre feet. The District is expected to deliver approximately 0.84 acre-feet of water. This authorization will allow an additional 1.8 acre-feet of water per acre.

This authorization is conditioned by the following provisions and limitations:

This authorization is for a well to be located approximately 2490 feet south and 1230 feet west from the NE corner of section 20 being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20, T. 11 N., R. 21 E.W.M.

The instantaneous quantity of water to be withdrawn is limited to 260 gallons per minute.

A total of 60.12 acre-feet of water per year is authorized under this emergency permit to irrigate 33.4 acres

The place of use is described as follows:

Yakima County Parcel Nos. 211200-13402 and 21120-14003.

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To develop a well in the Ellensburg Aquifer, the well must comply with the following construction requirements and restrictions:

- (a) The well must terminate at or above the first occurrence of basalt corresponding to the Pomona flow of the Saddle Mountains Formation. At the proposed well location the Pomona flow is estimated to occur at approximately 855 feet below the ground surface. In order to protect domestic wells in the area unperforated casing shall be set or placed (not driven) to a depth of 150 feet.
- (b) Installation of an airline and an access port for water level measurement is required.

When flowing artesian conditions are known or suspected, the operator shall have a written sealing plan prepared prior to initiation of construction. Flowing wells shall be so constructed and equipped with valves to ensure that the flow of water can be completely stopped when not being used. Likewise, the well shall be so maintained as to prevent the waste of water through leaky casings, pipes, fittings, valves, or pumps--either above or below land surface.

All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and WAC Chapter 173-160-075 through 173-160-305 (Minimum Standards for Construction and Maintenance of Water Wells).

The new well shall be constructed by August 1, 2005. If the new well is not completed by August 1, 2005, you must notify Ecology and provide us with an estimated completion date and a statement describing how the well will be used to provide supplemental water this year. If the well cannot be completed in sufficient time to provide water this year, this emergency permit will be cancelled.

A suitable flow meter approved by the Department of Ecology shall be installed and maintained in accordance with Chapter 173-173 WAC. (Installation, operation and maintenance requirements attached hereto.)

Whenever water is being diverted, bi-weekly (every two weeks) readings of the flow meter shall be recorded and maintained by the permittee. These readings shall be documented by time, date, withdrawal rate, and the person conducting the measurements. Copies of these records shall be submitted to the Department of Ecology by November 15, 2005.

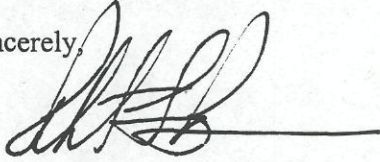
Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

Withdrawal of water under this authorization may be limited or otherwise regulated in favor of senior rights.

This drought emergency authorization expires on October 31, 2005.

This Order may be appealed pursuant to Chapter 43.21B RCW. Any person wishing to appeal this Order must file an appeal with the Pollution Control Hearings Board **within thirty (30) days of receipt of this Order**. Send the appeal to: Pollution Control Hearings Board, PO Box 40903, Olympia, Washington 98504-0903. At the same time, a copy of the appeal **must** be sent to: Department of Ecology, Water Resources Appeals Coordinator, PO Box 47600, Olympia, Washington 98504-7600.

Sincerely,

A handwritten signature in black ink, appearing to be 'RFB', with a horizontal line extending to the right.

Robert F. Barwin, Section Manager
Water Resources Program
Central Region Office

RFB:PNK:gg
050431

Enclosures: Flow Meter Requirements
 Your Right To Be Heard

cc: Carroll Palmer, Director, Natural Resources Division, Yakama Nation
 Curt Hart, Water Resources Program, HQ